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10 and GEICO GENERAL INSURANCE
COMPANY

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

15 LISA PESQUERA, individually,
Plaintiff.

Case No. 2:18-cv-00560-JCM-VCF

**STIPULATION AND ORDER TO
DISMISS SECOND AND THIRD CLAIMS
FOR RELIEF AND TO REMAND CASE**

21 Defendants.

22 This Stipulation is entered into by and between Plaintiff Lisa Pesquera (“Plaintiff”) and

23 Defendants GEICO Casualty Company and GEICO General Insurance Company (“Defendants”),

24 by and through their respective counsel of record.

25 Since the time of the Notice of Removal, the parties have agreed that Plaintiff's claims for
26 "bad faith" and for "unfair practices in settling claims" will be dismissed without prejudice. The
27 parties, acting by and through their respective attorneys of record, hereby agree and stipulate to the
28 dismissal without prejudice of the Second and Third Claims for Relief ("the Extracontractual

1 Claims"). The parties request the Court enter an order dismissing without prejudice the
2 Extracontractual Claims.

3 The parties, by their respective undersigned counsel, stipulate that this matter will be
4 remanded to Clark County District Court since this Court will no longer maintain subject matter
5 jurisdiction pursuant to 28 U.S.C. §1332, since the amount in controversy is less than \$75,000.00.

6 The parties, by their respective undersigned counsel, agree that this Stipulation may be
7 signed by counsel, and that all counsel listed below have authorized the submission of this
8 Stipulation to this Court.

9 Each party will bear their own costs and attorneys' fees incurred to date.

10 IT IS SO STIPULATED:

11 DATED this 13th day of April, 2018

12 LAW OFFICES OF ERIC R. BLANK

13 By /s/ David J. Martin
14 Eric R. Blank, Nevada Bar No. 6910
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18 Tel. (702) 222-2115
19 Attorneys for Plaintiff
20 LISA PESQUERA

21 DATED this 13th day of April, 2018

22 MCCORMICK, BARSTOW, SHEPPARD,
23 WAYTE & CARRUTH LLP

24 By /s/ Jonathan W. Carlson
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Attorneys for Defendants
GEICO CASUALTY COMPANY and GEICO
GENERAL INSURANCE COMPANY

ORDER

Having considered the Stipulation to Dismiss Plaintiff's Second and Third Claims for Relief without prejudice, and GOOD CAUSE appearing therefore, it is hereby ORDERED that Plaintiff's Second and Third Claims for relief are dismissed without prejudice.

IT IS ALSO ORDERED that this case is remanded since this Court no longer maintains jurisdiction pursuant to 28 U.S.C. §1332, since the amount in controversy is less than \$75,000.00.

DATED this 17th day of April, 2018

By James C. Mahan
UNITED STATES DISTRICT JUDGE

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